United Nations A/66/896–S/2012/681

General Assembly
Security Council

Distr.: General
5 September 2012

Original: English

General Assembly
Sixty-sixth session
Agenda items 67 and 83

Security Council
Sixty-seventh year

Elimination of racism, racial discrimination, xenophobia and related intolerance

The rule of law at the national and international levels

Letter dated 31 August 2012 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement by the Ministry of Foreign Affairs of Armenia regarding the transfer of Ramil Safarov, an Azerbaijani national who had been serving a life sentence in Hungary since 2004 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 67 and 83, and of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative

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Annex to the letter dated 31 August 2012 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Statement by the Ministry of Foreign Affairs of Armenia

On 31 August 2012, the Ministry of Public Administration and Justice of Hungary announced its authorization to transfer Ramil Sahib Safarov, an Azerbaijani national imprisoned in Hungary since 19 February 2004 and sentenced to life imprisonment for murdering Gurgen Margaryan, an Armenian national, to Azerbaijan. In adopting that decision, the Ministry referred to the Convention on the Transfer of Sentenced Persons.

The transfer of Ramil Sahib Safarov was executed without delay. Furthermore, the President of Azerbaijan issued a decree granting a pardon to Ramil Sahib Safarov, who already enjoys freedom in Azerbaijan.

Ramil Sahib Safarov was sentenced to life imprisonment by the courts of Hungary for committing an act of murder against Gurgen Margaryan, an Armenian national. Both Safarov and Margaryan had been visiting Budapest to participate in a North Atlantic Treaty Organization (NATO) Partnership for Peace language training course. While the Government of Hungary, as the host State, failed to ensure the security of the Armenian participant at an international event on its territory, its law enforcement institutions and courts acted promptly to bring the perpetrator to justice.

The Government of Hungary has been informed on numerous occasions by the authorities of Armenia about the environment of glorification and justification of the murderous act of Ramil Sahib Safarov, cultivated in Azerbaijan at the official level, including the level of the President of Azerbaijan. The Government of Hungary could not have failed to note the numerous public statements by the Azerbaijani officials at different levels to this effect, which should have been sufficient grounds for the doubt about the continuation of the enforcement of the sentence in Azerbaijan. Therefore, the Government of Hungary should have foreseen the implications of its decision to transfer Ramil Sahib Safarov, which effectively resulted in the termination of serving justice by a perpetrator of a murderous act. The Government of Hungary therefore shares moral responsibility for sponsoring a grave criminal act.

The Government of Hungary, at different levels, including the highest, consistently and up until the last moment assured the Government of Armenia that it will not take any steps whatsoever that would result in the termination of serving justice by the perpetrator of a heinous murder and explicitly excluded any option for the execution of the transfer. The manner in which the Government of Hungary has acted in respect of this matter is also cause for deep regret.

Armenia considers the above decision of the Government of Hungary as an unfriendly act, undermining the good cooperative relations between Armenia and Hungary. Today the Ministry of Foreign Affairs of Armenia notified the Ministry of Foreign Affairs of Hungary about the decision of the Government of Armenia to suspend diplomatic relations between the two States.